

RESOLUTION NO. 2019-_____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, DIRECTING PUBLICATION OF A NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN THE AMOUNT OF APPROXIMATELY \$31,000,000 FOR CONSTRUCTING, IMPROVING, DESIGNING AND EQUIPPING THE CITY'S (1) WATER AND WASTE WATER SYSTEM INCLUDING METER UPGRADES, SYSTEM OPERATING SOFTWARE, WATER QUALITY IMPROVEMENTS AND UTILITY RELOCATION; (2) ELECTRIC UTILITY SYSTEM INCLUDING MASTER PLANNING AND STUDIES, UTILITY RELOCATION, AND METER UPGRADES; (3) STREETS INCLUDING RELATED DRAINAGE, SIDEWALKS, BICYCLE AND PEDESTRIAN IMPROVEMENTS; (4) MUNICIPAL BUILDINGS TO INCLUDE THE CITY HALL, LIBRARY AND CHARLES S. COCK HOUSE; (5) DRAINAGE AND FLOOD CONTROL FACILITIES; (6) AIRPORT; (7) PUBLIC SAFETY FACILITIES TO INCLUDE POLICE AND FIRE STATION IMPROVEMENTS; (8) FIBER OPTIC INFRASTRUCTURE EQUIPMENT; (9) RECREATIONAL FACILITIES INCLUDING THE SPORTS COMPLEX AND CITY PARKS; (10) LAND ACQUISITION FOR A CITY CEMETERY; AND (11) THE PAYMENT OF PROFESSIONAL SERVICES IN CONNECTION THEREWITH INCLUDING LEGAL, FISCAL AND ENGINEERING FEES AND THE COSTS OF ISSUING THE CERTIFICATES OF OBLIGATION AND OTHER MATTERS RELATED THERETO.

WHEREAS, this City Council deems it advisable to give notice of intention to issue certificates of obligation of the City of San Marcos, Texas, as hereinafter provided; and

WHEREAS, it is officially found and determined that the meeting at which this resolution has been considered and acted upon was open to the public and public notice of the time, place and subject of said meeting was given, all as required by Tex. Gov't Code Ann. Ch. 551; Now, Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS:

Section 1. Form of Notice. Attached hereto is a form of "Notice of Intention to Issue Certificates of Obligation" the form and substance of which is hereby adopted and approved.

Section 2. Publication of Notice. Said Notice shall be published, in substantially the form attached hereto, in a newspaper, as defined in Tex. Gov't Code Ann. §2051.044, of general circulation in the area of said City, once a week for two consecutive weeks, the date of the first publication thereof to be before the 30th day before the date tentatively set for passage of the ordinance authorizing the issuance of the Certificates.

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption. The Mayor and City Clerk are hereby authorized and directed to execute this Resolution on behalf of the City and to do any and all things proper and necessary to carry out the intent of this Resolution.

Section 4. Attorney General Fee. The City Council hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of each series of obligations being issued or (ii) \$9,500 for each series, provided that such fee shall not be less than \$750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required by Section 1202.004 of the Texas Government Code. The appropriate member of the City's staff is hereby instructed to take the necessary measures to make this payment. The City is also authorized to reimburse the appropriate City funds for such payment from proceeds of the debt.

[Execution Page Follows]

PASSED, APPROVED AND EFFECTIVE this April 2, 2019.

ATTEST:

Mayor, City of San Marcos, Texas

City Clerk, City of San Marcos, Texas

[CITY SEAL]

**NOTICE OF INTENTION TO ISSUE
CERTIFICATES OF OBLIGATION**

NOTICE IS HEREBY GIVEN that the City Council of the City of San Marcos, Texas (the "City"), at its meeting to commence at 5:30 P.M. on May 21, 2019 (the "meeting"), at its regular meeting place in the City Hall, 630 East Hopkins, San Marcos, Texas, tentatively proposes to authorize the issuance of one or more series of interest bearing certificates of obligation of the City, in the total aggregate principal amount not to exceed \$31,000,000, for the public purpose of paying contractual obligations incurred or to be incurred for constructing, improving, designing and equipping the city's (1) water and waste water system including meter upgrades, system operating software, water quality improvements and utility relocation; (2) electric utility system including master planning and studies, utility relocation, and meter upgrades; (3) streets including related drainage, sidewalks, bicycle and pedestrian improvements; (4) municipal buildings to include the City Hall, library and Charles S. Cock house; (5) drainage and flood control facilities; (6) airport; (7) public safety facilities to include police and fire station improvements; (8) fiber optic infrastructure equipment; (9) recreational facilities including the sports complex and city parks; (10) land acquisition for a city cemetery; and (11) the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuing the certificates of obligation and other matters related thereto. The City presently proposes to provide for the payment of the certificates of obligation by the levy of ad valorem taxes, within the limits prescribed by law. The certificates of obligation will be additionally payable from a limited pledge of surplus revenues of the City's water and waste water system not to exceed \$1,000.